

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Franck Savard
Serial No.: 09/763,507
Filed: February 23, 2001
Title: REAR DERAILLEUR DEVICE FOR A BICYCLE
Docket No.: 33354

PETITION TO CORRECT NOTICE OF ACCEPTANCE AND
FILING RECEIPTVIA FACSIMILE: 1-703-308-6459Total Transmission: 7 pagesATTN: DEREK PUTONEN

Commissioner for Patents

BOX: PCT

Washington, D.C. 20231

Dear Sir:

The Notice of Acceptance and Filing Receipt mailed November 20, 2002 erroneously indicate the Applicant as "Kozo Kitagawa." The Notice of Acceptance and Filing Receipt should indicate the Applicant as "Franck Savard." Accordingly, Applicant hereby petitions for a corrected Notice of Acceptance and Filing Receipt, indicating the Applicant as follows:

"Franck Savard"

Enclosed are marked-up copies of the Notice of Acceptance and Filing Receipt indicating the change requested. Because these corrections are required due to Patent Office error, no petition fee should be required.

I hereby certify that this correspondence is being facsimile transmitted to Derek Putonen of the Patent and Trademark Office at 1-703-308-6459 on the date indicated below.

Steven J. Solomon

Name of Agent for Applicant


February 11, 2003
Date
Signature of Agent

Following is a brief statement of the facts. This application was filed naming Franck Savard, a French citizen, as the sole inventor. Mr. Savard refused to execute the declaration in this case. A petition under Rule 1.47(b) was filed (and granted) to accept the declaration signed on Mr. Savard's behalf by a representative of the party to whom the invention rightfully belongs, Shimano, Inc. This declaration (copy attached) was executed by Kozo Kitagawa as a representative of Shimano, Inc., and on behalf of Mr. Franck Savard. However, Kozo Kitagawa is not an inventor and should not be listed as the Applicant. Franck Savard is the Applicant of this patent application, and the petitioned-for corrections are required to correct Patent Office error in listing Mr. Kitagawa instead of Mr. Savard as the inventor.

If there are any other fees required by this communication, please charge any such fees to our Deposit Account No. 16-0820, Order No. 33354.

Respectfully submitted,

PEARNE & GORDON LLP

By: 
Steven J. Solomon, Reg. No. 48719

526 Superior Avenue East
Suite 1200
Cleveland, Ohio 44114-1484
(216) 579-1700

Date: February 11, 2003



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 901
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO. 09/763,507	FIRST NAMED APPLICANT Kozo Kitagawa FRANCK SAVARD	ATTY. DOCKET NO. 33354
		INTERNATIONAL APPLICATION NO. PCT/FR98/01854
		IA. FILING DATE 08/26/1998
		PRIORITY DATE

000116
PEARNE & GORDON LLP
526 SUPERIOR AVENUE EAST
SUITE 1200
CLEVELAND, OH 44114-1484

CONFIRMATION NO. 8685

371 ACCEPTANCE LETTER



0C000000009129315

Date Mailed: 11/20/2002

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.494 OR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>07/25/2001</u>	<u>07/25/2001</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF RECEIPT OF ALL 35 U.S.C. REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- U.S. Basic National Fee
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

WINSTON M ALVARADO

Telephone: (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/763,507	07/25/2001	3682	990	33354	6	12	1

CONFIRMATION NO. 8685

000116
PEARNE & GORDON LLP
526 SUPERIOR AVENUE EAST
SUITE 1200
CLEVELAND, OH 44114-1484

FILING RECEIPT



OC000000009129314

Date Mailed: 11/20/2002

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

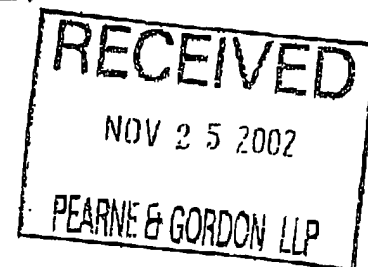
Applicant(s)

~~Kozo Kitagawa, Osaka, JAPAN;~~
FRANCK SAVARD, PLANGUENOUAL, FRANCE

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/FR98/01854 08/26/1998

Foreign Applications



Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

Title

Rear changer device for bicycle

Preliminary Class

074

Attorney's Docket No. 33354

DECLARATION AND POWER OF ATTORNEY

As a duly authorized agent of Shimano, Inc., to which the invention identified herein rightfully belongs, and acting for and on behalf of Franck Savard, I hereby declare that the information given herein is true, that I believe that Franck Savard is the original, first and sole inventor of the invention entitled "REAR DERAILLEUR DEVICE FOR A BICYCLE", which is described in U.S. Patent Application Serial No. 09/763,507, filed February 23, 2001, and that upon information and belief, Franck Savard has an address at 11 Lotissement des Tertes, F-22400 Planguenoual, France.

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims.

I acknowledge my duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

<u>Country</u>	<u>Prior Foreign Application Number</u>	<u>Foreign Filing Date</u>	<u>Priority Claimed?</u>
PCT	PCT/FR98/01854	August 26, 1998	Yes

I hereby claim the benefit under 365(c) of the PCT international application designating the United States of America listed above and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior PCT international application in the manner provided for by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Acting for and on behalf of Franck Savard, I hereby appoint each of the following as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Charles B. Gordon, Reg. No. 16923
 William C. McCoy, Reg. No. 16885
 Thomas P. Schiller, Reg. No. 20677
 David B. Deloma, Reg. No. 22841
 Joseph J. Corso, Reg. No. 25845
 Howard G. Shimola, Reg. No. 26232

Jeffrey J. Sopko, Reg. No. 27676
 John P. Murtough, Reg. No. 34226
 James M. Moore, Reg. No. 32923
 Michael W. Garvey, Reg. No. 35878
 Frank Adamo, Reg. No. 39583
 Aaron A. Fishman, Reg. No. 44682
 Brian Alan Bargmeyer, Reg. No. 47404

Address all correspondence to Customer Number 000116.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(I) Acting for Franck Savard, a citizen of France:

Kozo Kitagawa Assistant Director
Printed Name Title

Kozo Kitagawa
Signature

Citizenship: Japan

Date: July 19, 2001

Post Office Address: 77. Oimatsu-cho, 3-cho
Sakai, Osaka
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